

### **Remarks**

Applicants respectfully request reconsideration of the above-identified application. Claims 1-18 and 20-33 remain in this application. Claim 19 has been canceled. Claims 2-4, 6-7, 9-11, 17-18, 23-24, and 32-33 have been withdrawn.

#### **I. Rejection based on art.**

Claims 1, 8, 12-16, 19-22, and 25-31 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent 3,698,993 to Rauh. Claims 20-22, 30, and 31 were also rejected as obvious in view of Rauh. Applicants respectfully traverse these rejections.

To anticipate a claim, an applied reference must teach each and every element of the claim. MPEP §2131. Further, one of the requirements of a *prima facie* case of obviousness is that the applied prior art reference must teach or suggest *all* of the claim limitations. MPEP §706.02(j).

Applicants respectfully submit that neither anticipation nor a *prima facie* case of obviousness has been established to shift the burden of rebuttal to the Applicant.

Rauh fails to teach or suggest “from about 5 to about 50 weight parts of particles dispersed in the thermoplastic polymer per 100 weight parts of the thermoplastic polymer” as recited in claim 1. To the contrary, Rauh teaches *600 weight parts of particles* per 100 weight parts of thermoplastic polymer. (Column 3, lines 10-13; column 1, lines 15-16.) This amount is twelve times greater than the amount recited in claim 1. Accordingly, Rauh fails to anticipate or render obvious claim 1.

The rejected dependent claims contain recitations in addition to those of the independent claims from which they depend, and are therefore further patentable over Rauh.

#### **II. Claim 5.**

Applicants note that the Office Action did not list dependent claim 5 in the discussion of the rejected claims, yet did list claim 5 as rejected in the summary section. In any event, the discussion above applies to claim 5, too.

Applicant : Ramesh et al  
Serial No.: 10/643,452  
Page 6

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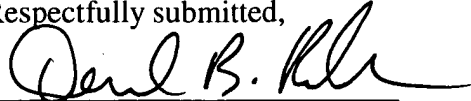
III. Conclusion

In view of the amendment to the claims and these remarks, it is respectfully submitted that the present application is in condition for allowance. A notice to that effect is earnestly and respectfully requested.

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